

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

JOHN D. HALTIGAN,  
Plaintiff,

v.

MICHAEL V. DRAKE, et al.,  
Defendants.

Case No. [5:23-cv-02437-EJD](#)

**ORDER OF DISMISSAL**

On November 15, 2024, the Court granted Defendants' motion to dismiss with leave to amend. ECF No. 48. Plaintiff did not file an amended complaint by his deadline of December 6, 2024. On December 17, 2024, Plaintiff filed a Notice indicating that he did not intend to file an amended complaint and would like to appeal the Court's Order. ECF No. 51. This case is therefore dismissed.

The Court also grants Plaintiff's motion to dismiss his notice of appeal pursuant to Federal Rule of Appellate Procedure 42(a). ECF No. 50. Plaintiff erroneously filed his notice of appeal on December 13, 2024, prior to the Court entering a final appealable order in this case. ECF No. 49.

A separate Judgment will follow.

**IT IS SO ORDERED.**

Dated: December 18, 2024



EDWARD J. DAVILA  
United States District Judge